

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

\_\_\_\_\_  
No. 14-20581  
Conference Calendar  
\_\_\_\_\_

United States Court of Appeals  
Fifth Circuit

**FILED**

April 21, 2015

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JOSE MANUEL GONZALEZ CAAL, also known as Jose Manuel Gonzalez,

Defendant-Appellant

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Appeals from the United States District Court  
for the Southern District of Texas  
USDC No. 4:14-CR-12-1  
\_\_\_\_\_

Before REAVLEY, SMITH, and GRAVES, Circuit Judges.

PER CURIAM:\*

Appealing the judgment in a criminal case, Jose Manuel Gonzalez Caal raises an argument that he concedes is foreclosed by *United States v. Rodriguez*, 711 F.3d 541, 562 n.28 (5th Cir. 2013) (en banc), in which this court concluded that the generic, contemporary definition of “sexual abuse of a minor” does not mandate that the age of consent be below 17 years old and does not include the asserted age-differential requirement. The unopposed motion

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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for summary disposition is GRANTED, and the judgment of the district court is AFFIRMED.